

MEMO ENDORSED

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December 16, 2021

Judge Valerie E. Caproni
U.S. District Court
Southern District of New York
40 Foley Square
N.Y., N.Y. 10007

Re: **U.S. v. Juan Hernandez**
19 CR 862 (VEC)

Dear Judge Caproni,

On November 10, 2020, by application of counsel, the Court appointed Nicholas J. Pinto, associate counsel to Juan Hernandez, in the above matter. On June 2, 2021 the Court approved and authorized 10 additional hours of representation by Nicholas Pinto.


It is hereby requested that the Court authorize an additional 30 hours of associate time for Nicholas Pinto for the remainder of the case, Nunc Pro Tunc, from July 29, 2021. Mr. Pinto exhausted the 10 additional hours granted by the Court and inadvertently failed to request additional hours when the 10 hour allotment was exhausted. Nicholas Pinto has diligently and continuously represented Mr. Hernandez and is an integral part of the defense team for Mr. Hernandez.

Mr. Pinto's representation most recently has consisted of meeting with Mr. Hernandez assisting in plea preparation, attendance at the plea hearing, and review of the PSR with the client at the MDC. The Court should take into consideration the facts and somewhat difficult circumstances which representation of Mr. Hernandez entail, i.e. his psychological and medical condition and history. The Court should also note that visiting Mr. Hernandez at the MDC, especially most recently during the pandemic, has presented difficulties with scheduling, production of the client, and has otherwise contributed to the

time expended in his legal representation. As a result of the foregoing factors, Mr. Pinto has currently expended 7.4 hours above the 10 hour additional allotment authorized, by the Court. Therefore, it is respectfully requested that the Court authorize 30 additional hours of associate billing, Nunc Pro Tunc from 7/29/21. This would effectively provide an additional 22.6 hours of un-billed time while compensating him for the 7.4 hours of work, already expended. The additional time is necessary to provide for visits to the MDC, work with the mitigation expert, while continuing the relationship of trust with Mr. Hernandez while preparing for his sentence.

Mr. Hernandez is scheduled to be sentenced on March 16, 2022 at 2:00 p.m.

The Court approves 20 hours total of additional associate time. The Court will not approve any further associate time in this matter.
SO ORDERED.



Date: December 16, 2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Sincerely,

/s/ Gerald J. Di Chiara